

IN RE: PETITION FOR ADMIN. VARIANCE
NE/S Happy Hollow Road, 536' NW
of the c/l of Hillside Court
(12334 Happy Hollow Road)
8th Election District
3rd Councilmanic District

Raleigh Brent, et ux
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 96-256-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Administrative Variance for that property known as 12334 Happy Hollow Road, located in the vicinity of Padonia Road in Cockeysville. The Petition was filed by the owners of the property, Raleigh and Gillian Brent. The Petitioners seek relief from Sections 400.1 and 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit existing accessory structures to be located in the front and side yards in lieu of the required rear yard and to permit an existing barn with a height of 21 feet, more or less, in lieu of the maximum permitted 15 feet. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or gener-

ORDER RECEIVED FOR FILING

Date

By


ENCLOSURE

al welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 12th day of February, 1996 that the Petition for Administrative Variance seeking relief from Sections 400.1 and 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit existing accessory structures to be located in the front and side yards in lieu of the required rear yard and to permit an existing barn with a height of 21 feet, more or less, in lieu of the maximum permitted 15 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

- 1) The Petitioners are hereby made aware that a thirty (30) day appeal period runs from the date of this Order. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING

Date

By



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

February 12, 1996

Mr. & Mrs. Raleigh Brent
110 Edgevale Road
Baltimore, Maryland 21210

RE: PETITION FOR ADMINISTRATIVE VARIANCE
NE/S Happy Hollow Road, 536' NW of the c/l of Hillside Court
(12334 Happy Hollow Road)
8th Election District - 3rd Councilmanic District
Raleigh Brent, et ux - Petitioners
Case No. 96-256-A

Dear Mr. & Mrs. Brent:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Permits and Development Management Office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: People's Counsel

A handwritten checkmark is drawn over the word "File".
File

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 110 Edgevale Road

address

Baltimore

City

MD

State

21210

Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

The property known as 12334 Happy Hollow Road used to be part of a farm. The existing outbuildings have existed on the property since it was a farm. I have owned the property for a long period of time and find that it would take a sum of money beyond my means to have these outbuildings removed.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Raleigh Brent
(signature)

Raleigh Brent
(type or print name)



Gillian M. Brent
(signature)

Gillian M. Brent
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 10th day of January, 1996, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Raleigh Brent & Gillian M. Brent, his wife

the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

1/10/96
date

[Signature]
NOTARY PUBLIC

My Commission Expires:

12/14/96

MICROFILMED



Petition for Administrative Variance

96-256-A

to the Zoning Commissioner of Baltimore County

for the property located at 12334 Happy Hollow Road

which is presently zoned RC-5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 400.1 & 400.3, BCZR, TO PERMIT ^{EXISTING} ACCESSORY STRUCTURES LOCATED IN THE FRONT & SIDE YARDS IN LIEU OF THE REAR AND TO PERMIT A BARN (BARN #2 ON PLAN) WITH A HEIGHT OF 21' IN LIEU OF THE REQUIRED 15'.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

The existing outbuildings have existed on the property since it was a farm. I have owned the property for a long period of time and find that it would take a sum of money beyond my means to have these outbuildings removed.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

Phone No.

City

State

Zipcode

Legal Owner(s):

Raleigh Brent

(Type or Print Name)

Signature

Gillian M. Brent

(Type or Print Name)

Signature

110 Edgevale Rd.

323-3821

Address

Phone No.

Baltimore

MD

21210

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

Michael R. Alderman

Name

11835 Sherbourne Rd. 21093

Address

Phone No.

CATHERVILLE, MD

252-0855

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ____ day of _____, 19____ that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.

Zoning Commissioner of Baltimore County

REVIEWED BY: JCM

DATE: 1-11-96

ESTIMATED POSTING DATE: 1-21-96

Printed with Soybean Ink
on Recycled Paper

ITEM #: 268

ZONING DESCRIPTION
BRENT PROPERTY

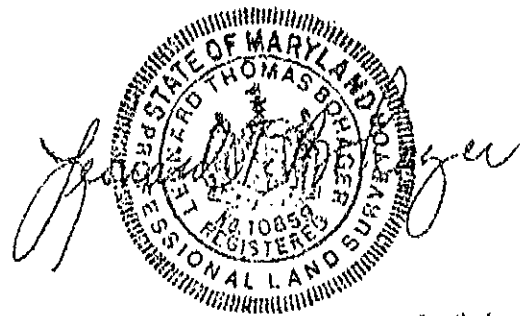
8TH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

96-256-A

BEGINNING for the same at a point on the northeast side of a 33-foot private right-of-way, said point being North 75 degrees West 286 feet from the centerline intersection of said 33-foot right-of-way and Happy Hollow road, 50 feet wide; thence

1. South 88 degrees 33 minutes 25 seconds East 79.27 feet; thence
2. South 24 degrees 06 minutes 06 seconds West 681.26 feet; thence
3. North 71 degrees 27 minutes 57 seconds West 598.65 feet; thence
4. North 18 degrees 32 minutes 08 seconds East 854.76 feet; thence
5. South 71 degrees 27 minutes 54 seconds East 599.16 feet to the point of beginning.

CONTAINING 9.501 acres of land, more or less.



1-10-96

268

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
 Towson, Maryland

96-256-A

District 28 Date of Posting 1/19/96
 Posted for: Variance
 Petitioner: Raleigh & Gillen Bryant
 Location of property: 12334 Happy Hollow Rd.
 Location of Sign: Facing road way on property being zoned
 Remarks: _____
 Posted by M. Healy Date of return: 1/22/96
 Number of Signs: 1



268

BALTIMORE COUNTY, MARYLAND
 OFFICE OF FINANCE - REVENUE DIVISION
 MISCELLANEOUS CASH RECEIPT

No. 093055

DATE 1-11-96 ACCOUNT 96-256-A
Pool-6150

AMOUNT \$ 85.00

RECEIVED FROM: RALEIGH BRYANT 12334 Happy Hollow Rd.
Admin. V. (010) 50.00
POSTING (000) 35.00

FOR: _____

85.00

DISTRIBUTION
 WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

VALIDATION OR SIGNATURE OF CASHIER

JL.M.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 268 Petitioner: RALEIGH BRENT

Location: 12334 Happy Hollow Rd.

PLEASE FORWARD ADVERTISING BILL TO:

NAME: MICHAEL R. ALDERMAN

ADDRESS: 11835 SHERBOURNE ROAD

TIMONIUM, MARYLAND 21093

PHONE NUMBER: 252-7992

✓
O
Arnold Jablon
Director

cc: Raleigh and Gillian Brent



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

January 19, 1996

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 96-256-A (Item 268)
12334 Happy Hollow Road
NE/S Happy Hollow Road, 536' +/- N of c/l Hillside Court
8th Election District - 3rd Councilmanic
Legal Owner: Raleigh Brent and Gillian M. Brent

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

- 1) Your property will be posted on or before January 21, 1996. The closing date (February 5, 1996) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.
- 2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).
- 3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon
Director

cc: Raleigh and Gillian Brent

RECORDED





Baltimore County
Department of Permits and
Development Management

Permits and Licenses
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
(410) 887-3900
Fax: (410) 887-2824

January 29, 1996

Raleigh Brent
Gillian M. Brent
110 Edgevale Road
Baltimore, MD 21210

RE: Item No.: 268
Case No.: 96-256-A
Petitioner: R. Brent, et al

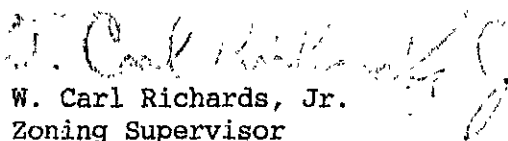
Dear Mr. Brent:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on January 11, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,


W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)



TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management

FROM: J. Lawrence Pilson *LP*
Development Coordinator, DEPRM

SUBJECT: Zoning Item #268 - Brent Property
12334 Happy Hollow Road
Zoning Advisory Committee Meeting of January 22, 1996

BRENT/DEPRM/TXTSBP

B A L T I M O R E C O U N T Y , M A R Y L A N D

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
 Permits and Development
 Management

DATE: January 25, 1996

FROM: Pat Keller, Director
 Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item No. 268

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by:

Jeffrey W. Long

Division Chief:

Carol L. Keller

PK/JL



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Hal Kassoff
Administrator

1-19-96

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 268 (JCM)


Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

for 
Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

MICROFILMED

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 01/25/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF JAN. 22, 1996.

Item No.: SEE BELOW

Zoning Agenda:

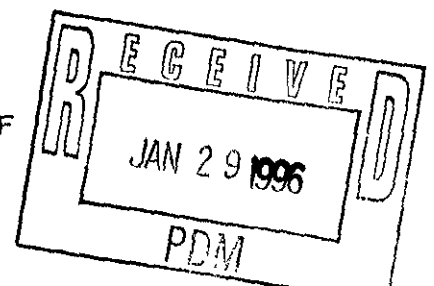
Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 266, 267, 268 AND 269.]

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



BALTIMORE COUNTY, MARYLAND
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director DATE: Jan. 26, 1996
Zoning Administration and Development Management

FROM: *RWB* Robert W. Bowling, P.E., Chief
Development Plans Review

RE: Zoning Advisory Committee Meeting
for January 29, 1996
Items 266, 267 and 268 *u*

The Development Plans Review Division has reviewed
the subject zoning items and we have no comments.

RWB:sw

Delivered to [illegible]

BALTIMORE COUNTY, MARYLAND
Inter-Office Memorandum

DATE: January 11, 1996

TO: Hearing Officer

FROM: Joseph C. Merrey
Planner I
Zoning Review, PDM

SUBJECT: Item #268
12334 Happy Hollow Road

Applicant will submit pictures within 5 days of 1/11/96.

Applicant to submit aerial.

This variance is for "Brent Property", a minor subdivision.

JCM:scj

MICROFILMED

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

see pages 5 & 6 of the CHECKLIST for additional required information

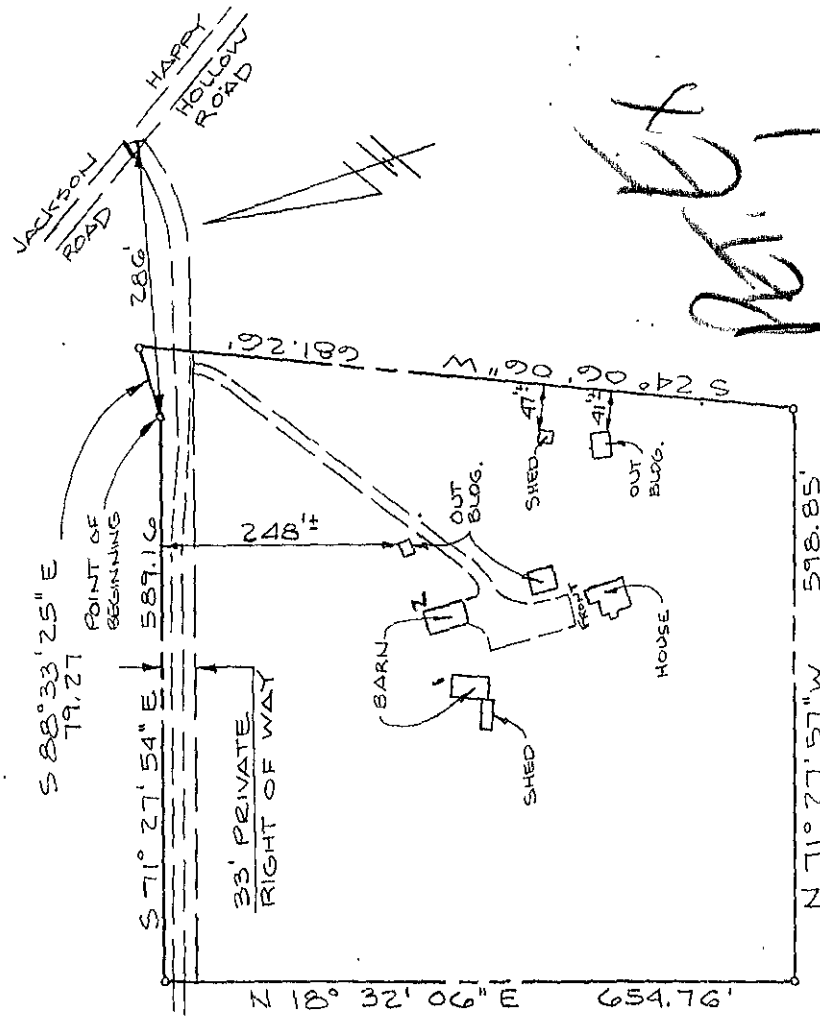
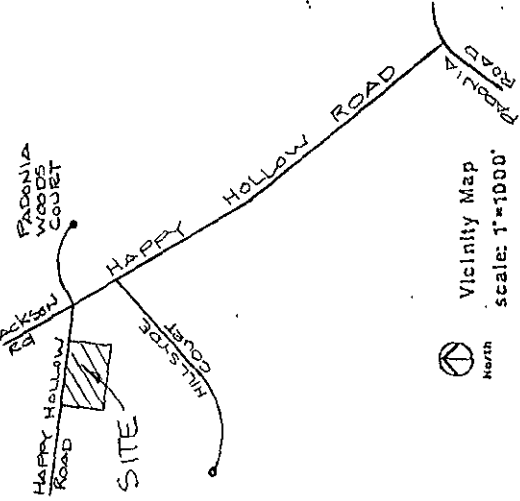
PROPERTY ADDRESS: 12334 HAPPY HOLLOW ROAD

Subdivision name: BRENT PROPERTY

plat book# , folio# , lot# , section#

OWNER: RALEIGH & GILLIAN BRENT

96-256-A



LOCATION INFORMATION

Election District: 8th
Councilmanic District: 3RD

1"=200' scale map#: NW 16-0

Zoning: RC-5

Lot size: 9.5 acreage 413820 square feet

SEWER: ☐ public ☒ private
WATER: ☐ public ☒ private

Chesapeake Bay Critical Area: ☐ yes ☒ no

Prior Zoning Hearings: ☐

Zoning Office USE ONLY!

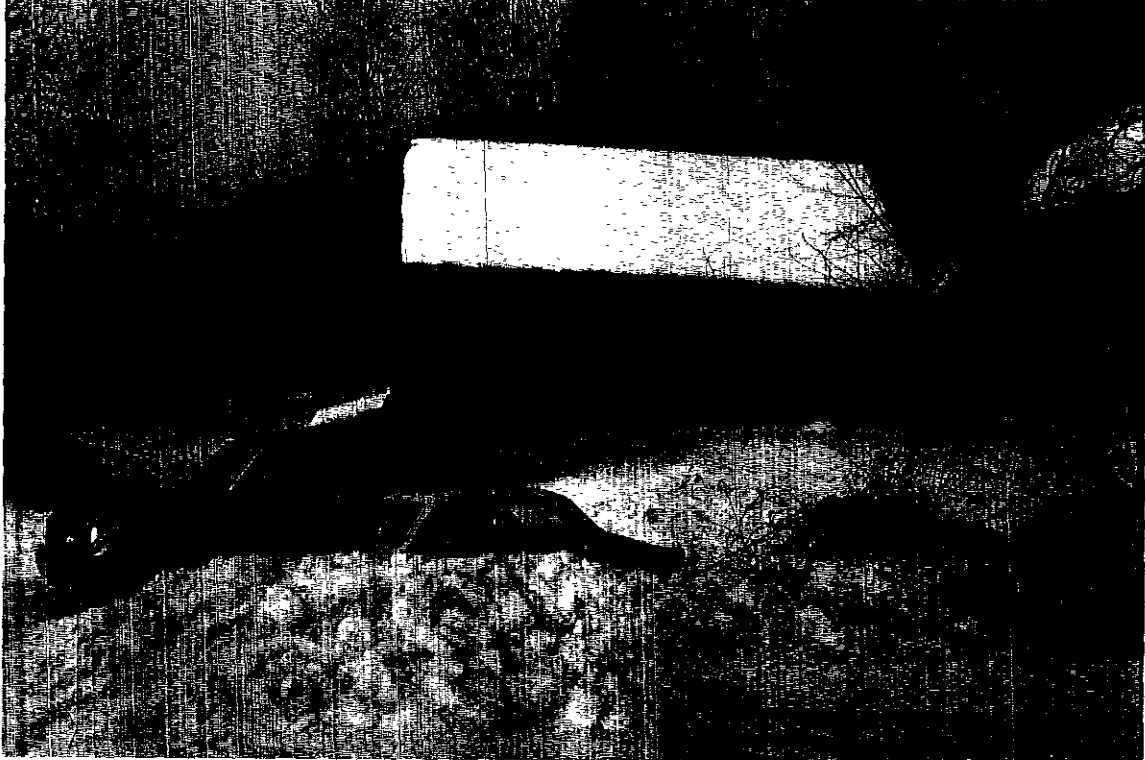
reviewed by: ITEM #: CASE#:

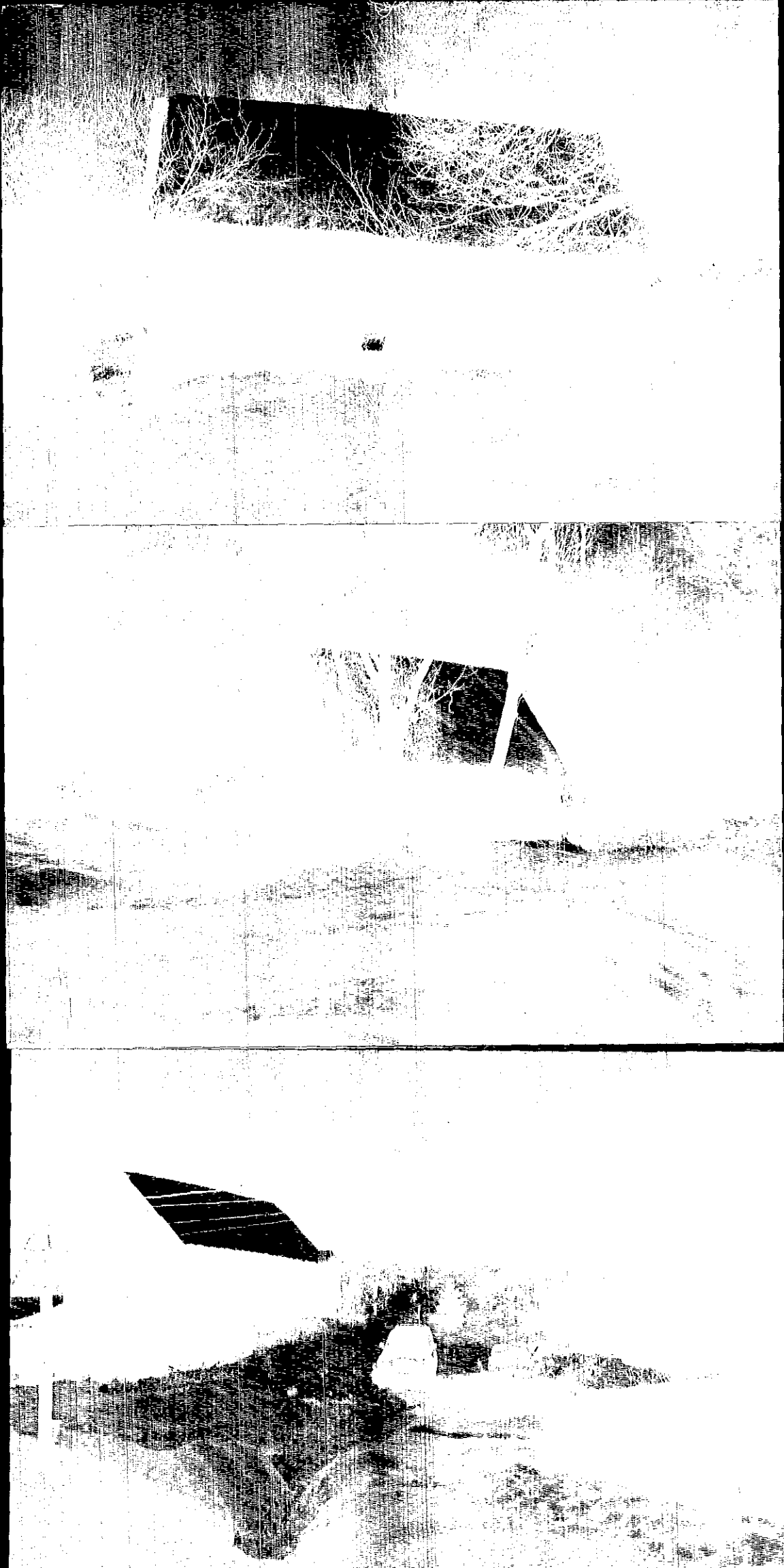
 268

North

date: 11/5/96

prepared by: MICHAEL ALDERMAN





I. Complaint/Sealphone Intake Report

A. Not writing complainant's address. If it same as relation address, then write the word "same".

B. Emergency "48 Hour" Complaints not forwarded to the inspector immediately. If inspector is in field or on vacation, don't leave on their desk/mail slot. Call to a supervisor about how to handle the emergency (ie, call them or car phone/pager or by some other method)

II. Emergency "48 Hour" Connection Notice (average 48 hours)

A. Attempt to serve on landlord in person. If that is not possible, then serve on their property manager/agent. When landlord of landlord's residence/office and take a polaroid picture showing you posted the "48 Hour" Notice.

B. Attempt to get the signature of the landlord/agent to allow proof of service. Call non-compliance after 48 hours, then take to Condemnation Notice.

III

A. Placing the Orange Placard on the Tenant's door is not sufficient. She Tenant and Landlord must also be notified ~~immediately~~ ~~immediately~~ ordering that the dwelling be vacated immediately and not necessary.

IV

A. Condemnation Notice. B. Condemnation Notice should be an absolute last resort, not a first course of action. Say the 48 Hour notice route first. Agent's Proportion (for monthly rental unit)

96-256-A



ENCLOSURE

IN RE: PETITION FOR ADMIN. VARIANCE * BEFORE THE
NE/S Happy Hollow Road, 536' NW * DEPUTY ZONING COMMISSIONER
of the c/l of Hillside Court (12334 Happy Hollow Road)
8th Election District * OF BALTIMORE COUNTY
3rd Councilmanic District * Case No. 96-256-A
Raleigh Brent, et ux
Petitioners *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Administrative Variance for that property known as 12334 Happy Hollow Road, located in the vicinity of Padonia Road in Cockeysville. The Petition was filed by the owners of the property, Raleigh and Gillian Brent. The Petitioners seek relief from Sections 400.1 and 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit existing accessory structures to be located in the front and side yards in lieu of the required rear yard and to permit an existing barn with a height of 21 feet, more or less, in lieu of the maximum permitted 15 feet. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or gener-

al welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 13th day of February, 1996 that the Petition for Administrative Variance seeking relief from Sections 400.1 and 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit existing accessory structures to be located in the front and side yards in lieu of the required rear yard and to permit an existing barn with a height of 21 feet, more or less, in lieu of the maximum permitted 15 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

- 1) The Petitioners are hereby made aware that a thirty (30) day appeal period runs from the date of this Order. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

February 12, 1996

Mr. & Mrs. Raleigh Brent
110 Edgevale Road
Baltimore, Maryland 21210

RE: PETITION FOR ADMINISTRATIVE VARIANCE
NE/S Happy Hollow Road, 536' NW of the c/l of Hillside Court
(12334 Happy Hollow Road)
8th Election District - 3rd Councilmanic District
Raleigh Brent, et ux - Petitioners
Case No. 96-256-A

Dear Mr. & Mrs. Brent:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Permits and Development Management Office at 887-3391.

Very truly yours,

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: People's Counsel

file



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 12334 Happy Hollow Road
which is presently zoned RC-5

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 400.1 & 400.3, B.C.Z.R., to PERMIT EXISTING ACCESSORY STRUCTURES LOCATED IN THE FRONT & SIDE YARDS IN LIEU OF THE REAR YARD TO PERMIT A BARN (BARN 21' IN HEIGHT) WITH A HEIGHT OF 21' IN LIEU OF THE REQUIRED 15'.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

The existing outbuildings have existed on the property since it was a farm. I have owned the property for a long period of time and find that it would take a sum of money beyond my means to have these outbuildings removed.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

(We do solemnly declare and affirm, under the penalties of perjury, that we are the legal owner(s) of the property which is the subject of this Petition.)

Contact Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City State Zip Code

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

City State Zip Code

Raleigh Brent

(Type or Print Name)

Signature

Gillian M. Brent

(Type or Print Name)

Signature

110 Edgevale Rd. 323-3821

Address

Baltimore MD 21210

City State Zip Code

Name, Address and phone number of representative to be contacted:

Michael R. Alderman

11835 Sherbourne Rd. 21093

Address

City State Zip Code

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be required.

Zoning Commissioner of Baltimore County

REVIEWED BY JCM DATE 1-11-96

ESTIMATED POSTING DATE 1-21-96

Printed with Soybean Ink on Recycled Paper

ITEM #: 268

ORDER RECEIVED FOR FILING
Date 2/12/96
By [Signature]

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) do(es) presently reside at 110 Edgevale Road

Baltimore MD 21210
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

The property known as 12334 Happy Hollow Road used to be part of a farm. The existing outbuildings have existed on the property since it was a farm. I have owned the property for a long period of time and find that it would take a sum of money beyond my means to have these outbuildings removed.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Raleigh Brent
Raleigh Brent
(Type or Print Name)

Gillian M. Brent
Gillian M. Brent
(Type or Print Name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 12th day of January, 1996, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Raleigh Brent & Gillian M. Brent his wife
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of said Affiant's knowledge and belief.

AS WITNESS my hand and Notarial Seal.

[Signature]
Notary Public

My Commission Expires: 12/14/96

W. DUVALL & ASSOCIATES, INC.

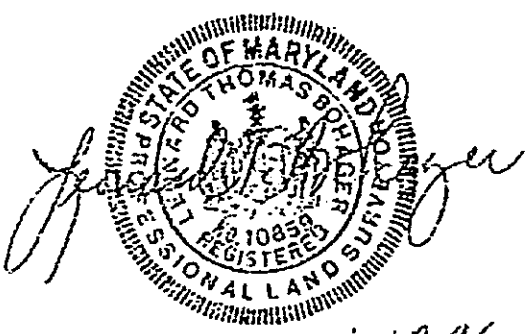
Engineers • Surveyors • Land Planners

ZONING DESCRIPTION 96-256-A
BRENT PROPERTY
8TH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

BEGINNING for the same at a point on the northeast side of a 33-foot private right-of-way, said point being North 75 degrees West 285 feet from the centerline intersection of said 33-foot right-of-way and Happy Hollow Road, 50 feet wide; thence

1. South 88 degrees 33 minutes 25 seconds East 79.27 feet; thence
2. South 24 degrees 08 minutes 06 seconds West 681.28 feet; thence
3. North 71 degrees 27 minutes 57 seconds West 596.65 feet; thence
4. North 18 degrees 32 minutes 08 seconds East 854.76 feet; thence
5. South 71 degrees 27 minutes 54 seconds East 599.16 feet to the point of beginning.

CONTAINING 9.501 acres of land, more or less.



268

530 East Joppa Road/Towson, Maryland 21206/(410) 583-9571

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District 26 Date of Posting 1/12/96
Posted for: Variance
Petitioner: Raleigh & Gillian Brent
Location of property: 12334 Happy Hollow Rd.
Location of Sign: Property, 12334 Happy Hollow Rd., 12334
Remarks: _____
Posted by: [Signature] Date of return: 1/12/96
Number of Signs: 1

BALTIMORE COUNTY, MARYLAND		268	
OFFICE OF FINANCE REVENUE DIVISION		No. 013675	
MISCELLANEOUS CASH RECEIPT		96-256-A	
DATE <u>1-11-96</u> ACCOUNT <u>POOI-6150</u>		AMOUNT \$ <u>85.00</u>	
RECEIVED FROM: <u>RALEIGH BRENT</u>		12334 Happy Hollow Rd.	
FOR: <u>ADMIN. V. (000)</u>		50.00	
		POSTING (000) 35.00	
BALANCE FORWARD: <u>65.00</u>			
VALIDATION OR SIGNATURE OF CASHIER			



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 268 Petitioner: RALEIGH BRENT

Location: 12334 Happy Hollow Rd.

PLEASE FORWARD ADVERTISING BILL TO:

NAME: MICHAEL R. ALDERMAN

ADDRESS: 11835 SHERBOURNE ROAD

TOWSON, MARYLAND 21093

PHONE NUMBER: 252-2992

Printed with Soybean Ink on Recycled Paper



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

January 19, 1996

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 96-256-A (Item 268)
12334 Happy Hollow Road
NE/S Happy Hollow Road, 536' +/- N of e/l Hillside Court
8th Election District - 3rd Councilmanic
Legal Owner: Raleigh Brent and Gillian M. Brent

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before January 21, 1996. The closing date (February 5, 1996) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Arnold Jablon
Arnold Jablon
Director

cc: Raleigh and Gillian Brent



Baltimore County
Department of Permits and
Development Management

Permits and Licenses
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
(410) 887-3900
Fax: (410) 887-2824

January 29, 1996

Raleigh Brent
Gillian M. Brent
110 Edgevale Road
Baltimore, MD 21210

RE: Item No.: 268
Case No.: 96-256-A
Petitioner: R. Brent, et al

Dear Mr. Brent:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on January 11, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.
W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

Printed with Soybean Ink
on Recycled Paper

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management

January 25, 1996

FROM: J. Lawrence Pilsony, P.
Development Coordinator, DEPRM

SUBJECT: Zoning Item #268 - Brent Property
12334 Happy Hollow Road
Zoning Advisory Committee Meeting of January 22, 1996

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

Ground Water Management

As per perc approval letter dated 10/27/95, a well must be drilled on Lot 3 to replace the spring supply for the existing house prior to subdivision approval.

JLP:SF:sp

BRENT/DEPRM/TXTSBB

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: January 25, 1996

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item No. 268

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: *Jeffrey W. Long*
Division Chief: *Carol L. Wells*

PK/JL

ITEM268/PZONE/ZAC1



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Hal Kassoff
Administrator

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 268 (JCM)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small
Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

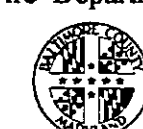
My telephone number is _____

Maryland Relay Service for Hearing or Speech
1-800-336-3789

Mailing Address: P.O. Box 2227, Baltimore, MD 21202

Street Address: 7172 N. J. Road, Baltimore, MD 21204

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 01/25/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF JAN. 22, 1996.

Item No.: SEE BELOW Zoning Agenda:

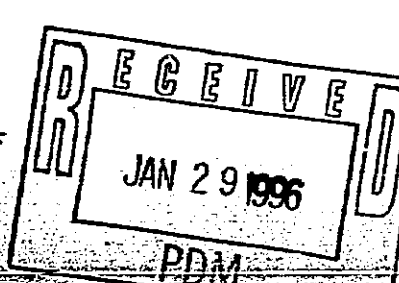
Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

9. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 266, 267, 268 AND 269. J

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



Printed with Soybean Ink
on Recycled Paper

BALTIMORE COUNTY, MARYLAND
Inter-Office Memorandum

DATE: January 11, 1996

TO: Hearing Officer

FROM: Joseph C. Merrey
Planner I
Zoning Review, PDM

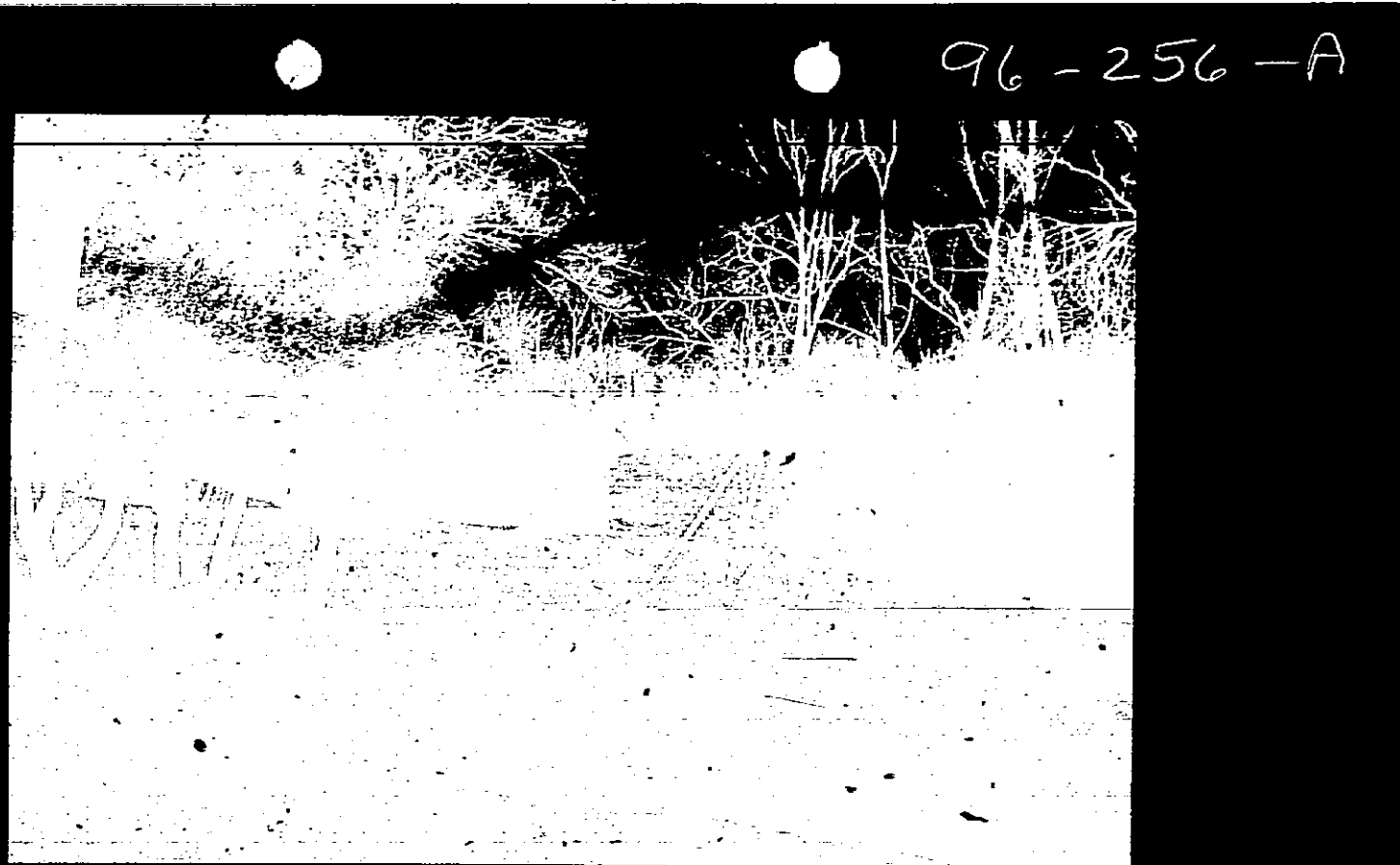
SUBJECT: Item #268
12334 Happy Hollow Road

Applicant will submit pictures within 5 days of 1/11/96.

Applicant to submit aerial.

This variance is for "Brent Property", a minor subdivision.

JCM:scj



Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 12324 HAPPY HOLLOW ROAD see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: BENT PROPERTY

Plat book# _____, lot# _____, section# _____

OWNER: KAL BISH & GILLIAN BISH

96-256-A

North

date: 11/5/16 prepared by: MICHAEL A. DUBOWSKI

Scale of Drawing: 1" = 200'

LOCATION INFORMATION

Election District: 8th

Councilmanic District: 3rd

1"-200" scale map#: NW 16-D

Zoning: RC-5

Lot size: 9.5 acreage 413,220 square feet

SEWER: ☐ ☒

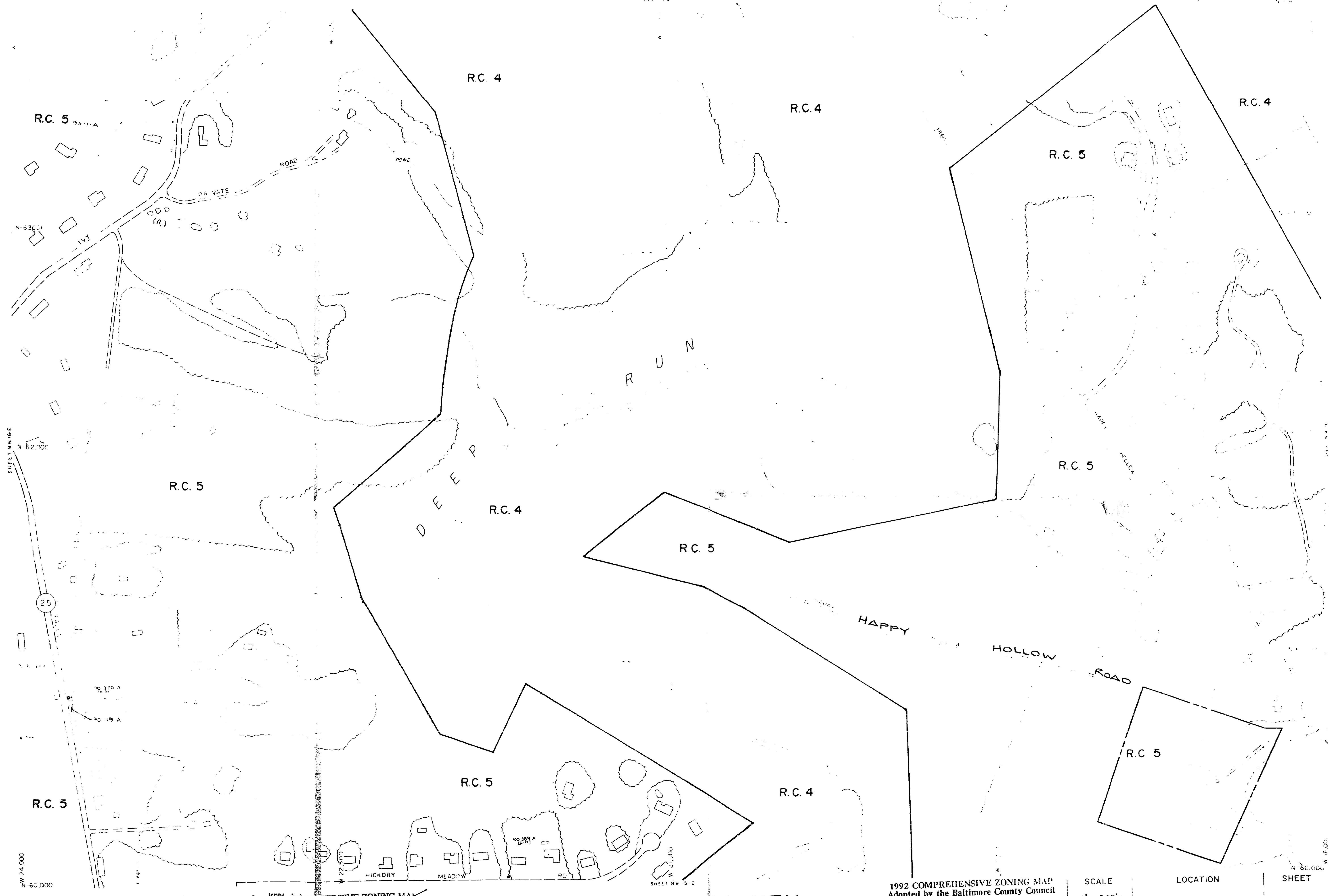
WATER: ☐ ☒

Chesapeake Bay Critical Area: ☐ ☒

Prior Zoning Hearings: ☐ ☒

Zoning Office USE ONLY!

reviewed by: JAM ITEM #: 268 CASE#: _____



1992 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 15, 1992

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP

1992 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 15, 1992

Map Nos. 103-92, 104-92, 105-92, 106-92, 107-92, 108-92, 109-92

SCALE
1" = 200'

DATE

LOCATION

DEEP RUN

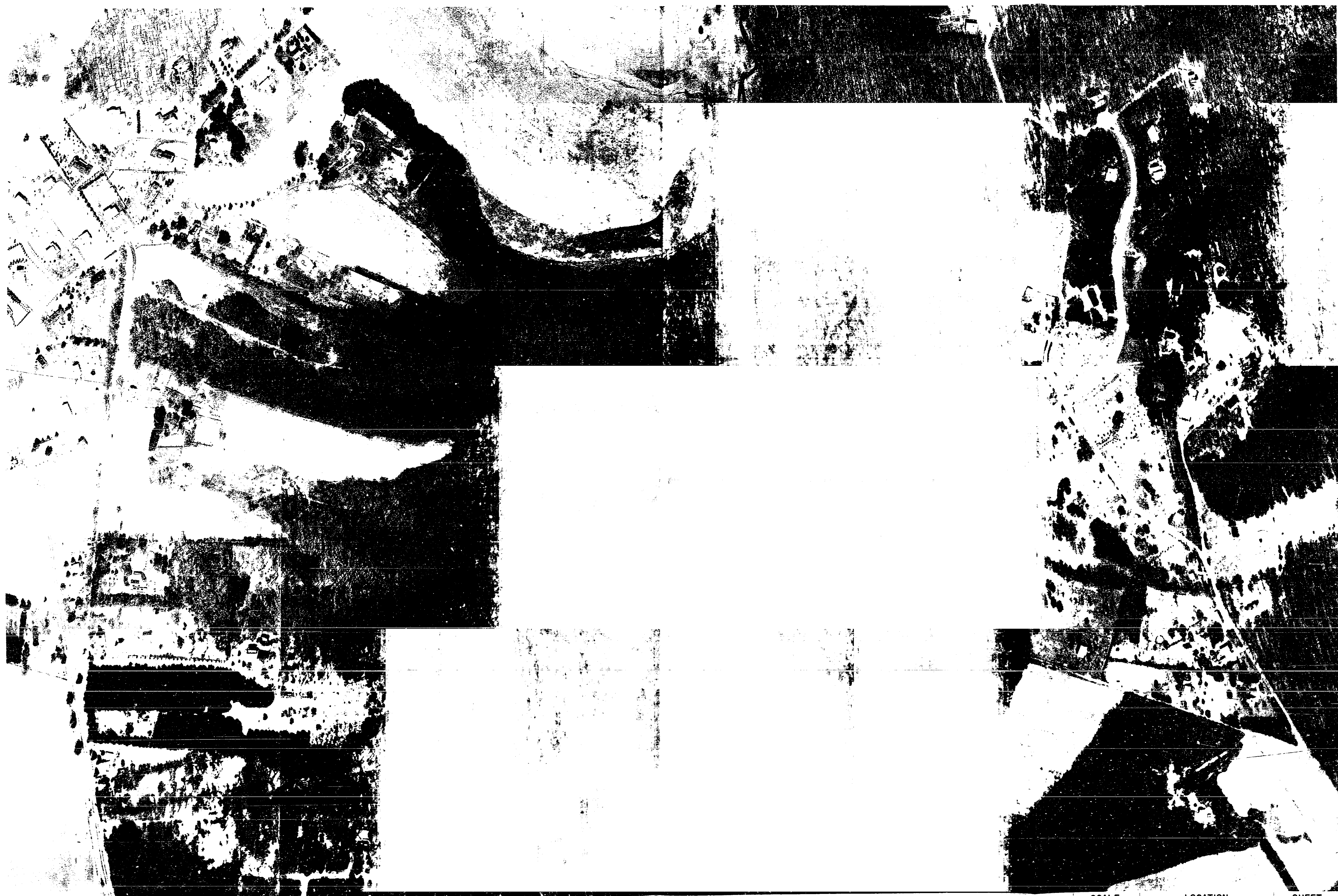
SHEET

NW

William H. Smith
Chairman, County Council

96-256-A

265



96-256-A

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W. V. 25401

SCALE 1" = 200' ±	LOCATION DEEP RUN	SHEET N.W. 16-D
DATE OF PHOTOGRAPHY JANUARY 1986		

MICROFILMED